පරිසර යුක්ති මධ්‍යස්ථානය
சுற்றாடல் நீதிக்கான கேந்திர நிலையம்
Centre for Environmental Justice

Friends of the Earth Sri Lanka
www.ejustice.lk

20/A, කුරුප්පු පාර, කොළඹ 08.
இல. 20/A, குறுப்பு வீதி, கொழும்பு 08.
20/A, Kuruppu Road, Colombo 08, Sri Lanka.
Tel/Fax: ++94-11-2683282 email: info@ejustice.lk web: www.ejustice.lk

2 nd May 2019

Director General,
Central Environmental Authority,
104, Denzil Kobbekaduwa Mawatha,
Battaramulla

Dear Sir,

Re: Comments on the Elevated Highway from New Kelani Bridge to Rajagiriya with a Link to Baseline Road (Phase I of Elevated Highway from New Kelani Bridge to Athurigiriya)

Centre for Environmental Justice is a public interest environmental organization based in Sri Lanka established in 2004. We herewith send our comments to the above EIA under the request for public comments as per the section 23 BB of the National Environmental Act.

In terms of travel time saving and carbon emission reduction and many other benefits this project can be considered as a prospective and beneficial project. With few changes, this project can be implemented in an environmental safe manner.

Impact to the Bio Diversity

Elevated highway runs along Kolonnawa canal adjacent to Kolonnawa Marsh which covers an area of 345Ac. This is the only environmentally significant area. Although both Dematagoda canal and Kolonnawa canal are highly polluted and show a higher level of eutrophication, Kolonnawa Marsh harbors significant amount of flora and fauna. Therefore it is essential that project activities do not disturb the fauna in the area and flora is not affected. (A total of 224 plant species in 67 families and A total of 143 fauna species belongs to 72 families)

Hydrological impacts

Hydrological impacts were identified as one of the major impacts of the project. Creation of bottlenecks in pier locations could affect the water levels in Diyawannawa or flood levels in rainy periods. “Dematagoda and Kolonnawa are the main canals of the MCB which drain off at North lock river outfall and Mutwal Tunnel sea outfall and the proposed elevated highway is proposed to follow these canals from start to end” The maximum water level rise due to piers has been predicted as approximately 1cm in the hydrological study conducted by SLLRDC,2017. Number of mitigation measures has been proposed such as widening the canal width; introduce portal type structures when highway is traversing in the middle of the canal etc.

Metro Colombo Urban Development Project has also proposed mitigation measures such as widening of Northlock gate and construction of pumping station, St. Sebastian Southlock pumping station and New Mutwal tunnel to improve the drainage capacity of the catchment. Relevant

government institutions including irrigation department, Sri Lanka Land Reclamation and Development Corporation, Ministry of Megapolis and Western Development should consider the feasibility of these proposals.

If Canals are blocked by invasive species such as *Eichhornia crassipes etc.,*regular removal of these invasive plants in the canal would help to improve the canal flow as well as ecosystem/water quality. Also, an action plan for unexpected flooding event should be prepared. Possible diversions of water also should be identified.

Also no data was available in the EIA report regarding the previous flood levels, extreme rain fall event etc. Ground data can be more reliable than predicted data or models.

Noise and Vibration impacts

Noise and vibration can be significant during the construction phase. Demolition works, piling etc generate high level of noise and vibration and nearby community will be severely affected. Number of mitigation measures has been suggested such as Construction of temporary noise barriers, demolition carried out using quieter methods, avoiding use of impact pile driving etc. Therefore we request to strictly adhere to these mitigation measures suggested in the EIA.

Impact on Water quality

Mixing waste water, especially waste water with cement (high Ca and Mg) with the marsh water can increase the pH value of water and affect fish and other aquatic fauna and flora. Therefore steps should be followed not to contaminate the marsh. This was not identified in the EIA report as a possible impact. Washing construction machineries, concrete mixtures should be done at a distant place away from the marsh.

Other than construction of temporary roads, any other activity should not be allowed within the marsh. Project aims to hire around 1500 laborers. Areas identified for placement of labor camps had not been identified in the EIA report. Therefore we expect that worker camps will be placed outside the project area.

Temporary traffic congestion during construction period

Project area is surrounded by road stretches where heavy traffic occurs. ex: Baseline road, Rajagiriya etc. Therefore project will generate more traffic during the construction period. Therefore specific routes should be identified for project vehicles. Drivers should inform about the rules, routes and other relevant information prior to commencement of project work by the contractor. Loaded rate and unloading rate at disposal site during the dumping sites should be tallied to make sure, disposed material are not given to a third party or dump at unauthorized area.

Resettlement of displaced families

A Resettlement Action Plan (RAP) has been prepared for the project by ESDD of RDA in compliance with the Land Acquisition Act (LAA) and its amendments (regulation 2008) and National Involuntary Resettlement Policy (NIRP) of Sri Lanka in which a project specific "Entitlement Matrix" (EM) is integrated. Even though two options has been given to displaced families either to settle in a housing unit provided in a housing scheme which are constructed by UDA or self-relocate as they wish with an allowance for self relocation paid based on the approved EM, All (cash) payments for losses has been paid at replacement cost. **Therefore we emphasize the fact that market rate compensations must be paid.**

Public Consultation

Details of the awareness meetings, focus group discussions and individual interviews conducted within the project area by Environment Safeguard Development Division of RDA have been provided in the EIA report. It mentions that people in the area are not very much satisfied with the life they enjoy and willing to move somewhere better. However we highlight the fact that meaningful consultation which

(i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle;
(ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people;
(iii) is undertaken in an atmosphere free of intimidation or coercion;
(iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and
(v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

is necessary.

Grievance redress mechanism

Total number of affected families are 1,010 including 750 main families and 260 sub families, which records a population of 3,615 persons will be affected. Grievance redress mechanism has been proposed through the existing local administrative system where grievances will be addressed at two levels. Grass roots level complaints will be addressed by the contractor, Independent Engineer and PMU representatives onsite. More complex grievances which cannot be addressed the basic level will be addressed at the Grievance Redress Committee (GRC) set up at Divisional Secretariat (DS) level. **Since a considerable number of families will be affected , we emphasize the fact that all, divisional secretariats cooperate in their maximum capacity to address the issues arising with no discrimination.**

General Comments

Although Elevated Highway has two sections as from Railway grounds to Rajagiriya and Kimbulawela to Malapalla, this study is based on route which was updated as from Orugodawatta to Rajagiriya with a link road from railway grounds at Dematagoda to Kolonnawa. It is not clear whether Kimbulawala to Malapalla section is being carried out. If so that stretch also should be studied in the EIA. Since this is a single project we believe total project should be presented in the EIA report.

In Conclusion, We have no objection regarding the project as it aims to address several environmental and social issues including air pollution, excessive fuel burning, noise pollution, vehicle congestion etc. Also we hope this project will contribute to the economic development of the country while emphasizing the fact that all mitigation measures suggested in the EIA should be adhered with. We also request to consider above comments before granting the approval for the project.

Thank you.

Yours Sincerely

Centre for Environmental Justice

signed

Indika Rajapaksha -Environmental Officer